

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

**In the Matter of**

Appeal for denial of 2013 funding by USAC Schools )  
and Libraries Division to the Clayton (WI) School ) CC Docket No. 02-6  
District (BEN 133103) )

**—APPEAL—  
REQUEST FOR REVIEW AND WAIVER OF DECISION  
OF THE UNIVERSAL SERVICE ADMINISTRATOR**

---

***Appellant:***

Cathleen F. Shimon, District Administrator  
Clayton (WI) School District (BEN 133103)  
236 Polk Ave. West  
Clayton WI 54004-0130  
715-948-2163; [shimonc@claytonsd.k12.wi.us](mailto:shimonc@claytonsd.k12.wi.us)

***RE: Appeal for denial of 2013 funding for the following funding request:***

**FRN: #2453693**

**Form 470: #547190001071625**

**Form 471: #895022**

**Category of service: Wanted Internet Service but posted for Internal Connections**

**Service provider: Amery Telcom, Inc. Spin #143001769**

To Whom It May Concern:

The Clayton School District is appealing the denial of 2013 funding for the above referenced funding request. The denial was in a funding commitment letter we received from USAC dated September 20, 2013. We are a small district (413 students) in rural northwest Wisconsin and have been under considerable budget pressure the past several years. Thus every dollar we get in E-rate discounts is important to us and we very much appreciate the program.

***USAC reason for denying the funding request:*** The 471 requested Internet service but the related 470 did not post for this service category.

***District's rebuttal of USAC's reason for denying the request:*** On the 470 we requested "Internal Connections Other Than Basic Maintenance" but as one can see in the "Service" in the internal connections area we do state that we are seeking "Internet Service." We acknowledge not checking the "Internet Access" category of service but this was an inadvertent and unintentional error made by our district's business administrator. Our business administrator has completed many E-rate forms without error but at the time the 470 was filed (12/04/2012) she was undergoing cancer treatment. I simply think her illness was foremost on her mind and likely resulted in this unintentional error. Sadly, she has since passed away and I was not aware of the 470 posting issue until contacted by USAC.

It is my understanding that USAC's revised Form 470 will combine Telecommunications and Internet Access as a single request. I assume USAC is doing this because it no longer thinks differentiating between Telecommunications and Internet Access on the 470 is still needed. While I know the revised 470 is not yet released, I ask the Commission to take this factor under consideration as it reviews our appeal. (Note: Our 470 posted for both Telecommunication Services and Internal Connections.)

We hope you will see that our inadvertent error was very likely related to our business administrator's health issue and was not in any way an issue of intentional program fraud or abuse. Thus we respectfully ask the Commission to grant our request to waive the Commission's rules in this area and direct USAC to proceed with review of our 2013 funding request. Thank you for your consideration of this matter and please contact me if you have any questions. (I have given Robert Bocher, State E-rate Support Manager in the Wisconsin Department of Public Instruction, permission to file this appeal on our behalf.)

Sincerely,

Cathleen F. Shimon, District Administrator